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May 15, 2023

VIA ECF

Honorable Jennifer L. Rochon
United States District Judge
Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

Re: *Cathy Rooney, et al. v. Prospect Capital Management L.P., et al.*
Case No: 23-cv-01753 (JLR)

Dear Judge Rochon:

We represent the Plaintiffs in this action and are writing to request an adjournment of the May 22, 2023 Initial Pretrial Conference previously scheduled (ECF No. 5).

The reason for this request is that it is impossible to complete the Civil Case Management Plan and Scheduling Order required in light of the filing of Defendants' and Nominal Defendants' Motion to Dismiss the Shareholder Derivative Complaint (ECF No. 10).

Therefore we respectfully request that the parties be excused from at least the filing of the Civil Case Management Plan and Scheduling Order pending disposition of the Motion.

The Initial Pretrial Conference is adjourned to **June 13, 2023** at 2:30 p.m. IT IS HEREBY ORDERED that, no later than **May 22, 2023**, Plaintiff shall file a Rule 7.1 Disclosure Statement, pursuant to the Local Rules, identifying the citizenship of all parties in this action for the purposes of establishing subject matter jurisdiction.

To the extent that the parties wish to seek a stay of discovery pending resolution of the motion to dismiss, they make such a motion no later than **June 7, 2023**.

Dated: May 15, 2023
New York, New York

SO ORDERED.



JENNIEER L. ROCHON
United States District Judge

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We appreciate the Court's consideration of this request.

Respectfully,

SQUITIERI & FEARON, LLP



By,
Lee Squitieri

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VIA ECF

cc: All Counsel